

**REMARKS**

The Applicants thank the Examiner for the thorough consideration given the present application. Claims 1, 3-7, and 9-22 are pending. Claims 1, 3, 4, 7, 9, and 10 are amended, and claims 13-22 are added. Claims 1 and 7 are independent. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

**Information Disclosure Statement**

The Examiner is advised that an additional Information Disclosure Statement was filed on April 2, 2004. Acknowledgement is respectfully requested in the next official communication.

**Rejection Under 35 U.S.C. § 112, second paragraph**

Claims 3, 4, 9, and 10 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite because they depend from canceled claims. This rejection is respectfully traversed.

In order to overcome this rejection, claims 3, 4, 9, and 10 are each amended to correct each of the deficiencies specifically pointed out by the Examiner. Claims 3 and 4 now depend from added claim 13, and claims 9 and 10 now depend from added claim 18. Applicants respectfully submit that the claims, as amended, particularly point out and

distinctly claim the subject matter which Applicants regard as the invention. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

**Rejections Under 35 U.S.C. § 103(a)**

Claim 1 and 4 stand rejected under 35 U.S.C. §10s(a) as being unpatentable over Nowicki et al. (U.S. 5,285,189) in view of Rea et al. (U.S.6,300,867);

Claims 3 stands rejected under 35 U.S.C. §10s(a) as being unpatentable over Nowicki et al. in view of Rea et al. and Bankart et al. (U.S. 6,609,419);

Claims 5-6 stand rejected under 35 U.S.C. §10s(a) as being unpatentable over Nowicki et al. in view of Rea et al. and McClelland (U.S. 5,963,128);

Claims 7, 10, 11, and 12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over McClelland in view of Rea et al.; and

Claim 9 stands rejected under 35 U.S.C. §103(a) as being unpatentable over McClelland in view of Rea et al. and Bankart et al.

These rejections are respectfully traversed.

**Amendments to Independent Claims 1 and 7**

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the present application, independent claim 1 is amended herein to recite a combination of elements directed to a tire air pressure detecting device for monitoring a tire air pressure, including the tire air pressure detecting means including vehicle speed detecting means for setting a frequency reading the tire air pressure based on a vehicle speed.

Support for the tire air pressure detecting means including vehicle speed detecting means 73 for setting a frequency reading the tire air pressure based on a vehicle speed can be found in the specification, for example, in paragraphs [0036] and [0038]. See also FIG 4.

In addition, independent claim 7 is amended herein to recite a combination of elements directed to a tire air pressure detecting device for monitoring a tire air pressure, including a vehicle body side timer on the vehicle body for operating said receiving means for a constant period of time at each of predetermined time intervals when said vehicle body side control means receives the main switch OFF signal, wherein a receiving time (Hr) is an interval during which said receiving means receives the air pressure signal from said transmitting means, and a transmitting time (Tt) is an interval during which said transmitting means transmits the air pressure signal to the vehicle body, the receiving time interval (Hr) and the transmitting time interval (Tt) being related to each other by the formula  $Hr > Tt$ .

Support for a vehicle body side timer 108 on the vehicle body for operating said receiving means for a constant period of time at each of predetermined time intervals when said vehicle body side control means receives the main switch OFF signal, wherein a receiving time (Hr) is an interval during which said receiving means receives the air pressure signal from said transmitting means, and a transmitting time (Tt) is an interval during which said transmitting means transmits the air pressure signal to the vehicle body, the receiving time interval (Hr) and the transmitting time interval (Tt) being related to each other by the

formula  $Hr > Tt$ , can be found in the specification, for example in paragraphs [0077], [0078], and [0083]. See also FIGS. 7 and 8.

Applicants respectfully submit that the combinations of elements as set forth in independent claims 1 and 7 are not disclosed or made obvious by the prior art of record, including Nowicki et al., Rea et al., McClelland, and Bankart et al.

For example, the Applicants respectfully submit that no combination of the Nowicki et al., Rea et al., McClelland, and the Bankart et al. documents suggests

the tire air pressure detecting means including vehicle speed detecting means for setting a frequency reading the tire air pressure based on a vehicle speed (as set forth in independent claim 1), or

a vehicle body side timer on the vehicle body for operating said receiving means for a constant period of time at each of predetermined time intervals when said vehicle body side control means receives the main switch OFF signal, wherein a receiving time (Hr) is an interval during which said receiving means receives the air pressure signal from said transmitting means, and a transmitting time (Tt) is an interval during which said transmitting means transmits the air pressure signal to the vehicle body, the receiving time interval (Hr) and the transmitting time interval (Tt) being related to each other by the formula  $Hr > Tt$  (as set forth in independent claim 7).

Applicants respectfully submit that the combination of elements as set forth in each of independent claims 1 and 7 is not disclosed or made obvious by the prior art of record,

including Nowicki et al., Rea et al., McClelland, or Bankart et al., at least for the reasons explained above.

Therefore, claims 1 and 7 are in condition for allowance.

**Added Dependent Claims 13 - 22**

The Examiner is advised that dependent claims 13-17 (depending from claim 1) and dependent claims 18-22 (depending from claim 7) are added herein to recite additional novel features of the present invention.

For example, added dependent claim 13 sets forth the subject matter of previously canceled claim 2, and added dependent claim 18 sets forth the subject matter of previously canceled claim 8

Added dependent claims 14 and 19 recite a novel combination of elements not suggested by the references cited by the Examiner, including the detector body being formed with a communication hole, the detector body being disposed in a recess in the wheel.

The detector body 51 having a communication hole 68, the detector body 51 being disposed in a recess 54 of the wheel can be found in the specification, for example, in paragraph [0034], and in FIG. 3.

All of the dependent claims are in condition for allowance due to their dependency from allowable independent claims, or due to the additional novel features set forth therein.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §103(a) are respectfully requested.

**CONCLUSION**

Since the remaining patents cited by the Examiner have not been utilized to reject claims, but merely to show the state of the art, no comment need be made with respect thereto.

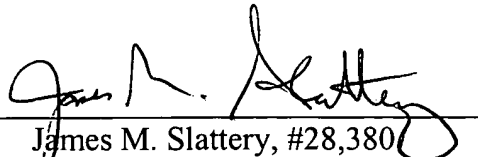
All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 205-8000.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
James M. Slattery, #28,380  
P. O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

  
JMS:CTT/ags